



# MARKED

City Of Scottsdale  
JUDICIAL APPOINTMENTS ADVISORY BOARD  
Regular Meeting  
Notice and Agenda  
6:00 p.m., Monday, April 1, 2013  
Human Resources Pinnacle Training Room  
7575 E. Main Street

**CALL TO ORDER—6:10 p.m.**

**Donald Alvarez, Chair; Judge Bruce Cohen, Vice-Chair; Dr. Ira Ehrlich, Judge Thomas Le Claire, Francis Scanlon, and Kenneth Weingarten—Present**

**James Padish—Absent**

## ROLL CALL

Donald Alvarez, Chair; Judge Bruce Cohen, Vice-Chair; Dr. Ira Ehrlich; Judge Thomas Le Claire; James Padish; Francis Scanlon; Kenneth Weingarten.

## Possible Executive Session

Notice is hereby given that at any time during this meeting, the Judicial Appointments Advisory Board may make a motion to recess into Executive Session for Items No. 4 & 7 with all reasonably necessary City Staff, to discuss and consult with the attorneys and representatives of the public body for legal advice and/or to discuss confidential records/information pursuant to A.R.S. §38-431.03(A)(2) and (A)(3).

## **1. APPROVAL OF MINUTES OF PUBLIC MEETING CONDUCTED ON MARCH 5, 2013**

*Action: Formal motion and vote to approve the minutes of the public meeting held on March 5, 2013.*

**Approved 6-0; Board Member Ehrlich moved the approval of the regular minutes of the public meeting held on March 5, 2013 as presented, seconded by Board Member LeClaire. Board Member Padish was absent.**



Persons with a disability may request a reasonable accommodation by contacting Valerie Wegner at (480) 312-7679. Requests should be made 24 hours in advance or as early as possible to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Valerie Wegner at (480) 312-7679.

**2. PUBLIC COMMENT**

The purpose of this item is to give the public an opportunity to give comments or input regarding the performance and reappointment of Judge Jejna.

*Action: Hearing of public comment or input and possible dialogue between Board members and those giving comment or input related to the reappointment of Judge Jejna.*

**CLOSE PUBLIC COMMENT****3. DISCUSSION OF JUDICIAL SURVEY RESULTS ON ASSOCIATE CITY JUDGE OREST JEJNA**

*Action: For information and discussion only.*

**4. DISCUSSION OF CONFIDENTIAL RECORDS AND CONFIDENTIAL INFORMATION RELATED TO JUDGE JEJNA'S PERFORMANCE OR REAPPOINTMENT**

A. The Board may generally discuss and consider confidential records related to Judge Jejna and may generally discuss and consider confidential information gathered during possible Board Member interviews of those who may have personal experience related to a Judge Jejna's performance during the public meeting **in a manner which does not violate confidentiality requirements;**

**and/or**

B. The Board may move to go into an executive session for the limited purpose of receiving legal advice on this item or for the limited purpose of more fully discussing some or all of the confidential records or confidential information gathered during Board Member interviews of those who may have personal experience related to a Judge Jejna's performance.

*Action: Discussion, consideration and possible action including a possible vote to move into an Executive Session for the purpose of discussing confidential records/information or receiving legal advice on this item.*

**5. DISCUSS QUESTIONS FOR INTERVIEW OF JUDGE JEJNA**

The Board will discuss possible interview questions in preparation for the formal interview with Judge Jejna.

*Action: For discussion and possible action that may include a vote on the interview questions the Board will ask Judge Jejna during his formal interview.*

**6. INTERVIEW OF JUDGE JEJNA**

The Board will conduct an interview with Judge Jejna for consideration of reappointment to the position of Associate City Judge.

*Action: Hearing of Judge Jejna's comments or input and interview and dialogue between Board members and Judge Jejna related to his appointment as an Associate City Judge.*

**7. DISCUSSION OF AND REAPPOINTMENT RECOMMENDATION REGARDING JUDGE JEJNA**

The Board will have an opportunity to review and discuss all relevant public information and previously received public input pertaining to the reappointment application of Judge Jejna. If the Board is ready to proceed with a recommendation as to whether it does or does not

recommend reappointment of Judge Jejna, this will be done through a formal motion, second and vote of the Board.

The Board will also discuss and take possible action to determine the process for communicating the Board's recommendation to the City Council, including making a presentation to the City Council and/or being available to answer questions, regarding its recommendation on Judge Jejna's reappointment.

*Action: Formal motion and vote on recommendation to the City Council regarding reappointment. Discussion, possible motion and vote or direction to staff regarding communicating the Board's recommendation to the City Council.*

**Approved 6-0; Board Member Weingarten moved to recommend that Judge Jejna be reappointed to the reappointment term set forth in the ordinance, but if the ordinance is amended to extend the reappointment terms prior to the term expiring, to that extended term so that all judicial terms remain uniform, seconded by Board Member LeClaire. Board Member Padish was absent.**

#### **8. TIMELINE FOR JUDGE JAMES BLAKE'S JUDICIAL REAPPOINTMENT**

HR staff will discuss the judicial reappointment timeline for Judge James Blake.

*Action: For information, discussion and possible action.*

**Approved 6-0; Vice-Chair Cohen moved that Chairman Alvarez represent the Judicial Appointments Advisory Board in conveying the depth and scope of its support to reappoint Judge Orest Jejna, seconded by Board Member LeClaire. Board Member Padish was absent.**

#### **9. FUTURE AGENDA ITEMS\***

*Action: No discussion, but possible direction to staff relating to placing items on future agenda(s).*

### **ADJOURNMENT—Approximately 7:39 p.m.**

\*Note: The Board cannot discuss or vote on items not on the posted agenda, including items brought up as Board, staff or public comments, if any. If action by the Board is needed, the item should be placed on a future agenda in compliance with the Arizona Open Meetings Law.



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